



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF:

WITHERS et al.

SERIAL NO.:

10/828,641

FILED:

April 21, 2004

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GROUP:

1742

Confirmation No.

5332

DOCKET:

MER 03.01

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby proffer U.S. Patent Office Form PTO-1449, including a copy and English Translation of the reference listed therein. Also enclosed is an English language CN1376813A which was cited as D4 in the Search Report of the corresponding PCT application which is already of record. The claims in the present application are believed to be patentably distinguished over these references.

This Supplemental Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

The enclosed Supplemental Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Supplemental Information Disclosure Statement. In the event there are any fee

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Serial No. 10/828,641 Docket No. MER 03.01 Supplemental Information Disclosure Statement

deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway Attorney for Applicants Reg. No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on _______ at Tucson, Arizona.

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